



Applicant Initiated Interview Request Form

Application No.: 09/101,518 First Named Applicant: Yi Li
 Examiner: M. D. Pak Art Unit: 1646 Status of Application: Pending

Tentative Participants:

(1) Michael Pak (USPTO) (2) Yvonne Eyer (USPTO)
 (3) Paula Hutzell (USPTO) (4) Mark Hyman (HGS)
 (5) Karen Carroll (HGS) (6) _____

Proposed Date of Interview: Week of 7/19-23/2004 Proposed Time: Between 10:30am and 4:00 pm

Type of Interview Requested:

(1) Telephonic (2) Personal (3) Video Conference

Exhibit To Be Shown or Demonstrated: YES NO

Issues To Be Discussed

Issues	Claims	References	Discussed	Agreed	Not Agreed
(1) <u>Restriction</u>	33-50, 56-63, 65-73, 79-96, 102-109, 111-119, 124-128	Marchese et al.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>Utility rej.</u>	29-32, 51-55, 64, 74-78, 97-101, 120-123, 127-128	Lasagni et al.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) <u>WD rej.</u>	29-32, 51-55, 64, 74-78, 97-101, 120-123, 127-128	n/a	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Brief Description of Arguments to be Presented:

1. Restriction of the generic antibody claims from dependent claims to, *inter alia*, monoclonal, polyclonal, chimeric, and human antibodies is improper. PCT Rule 13.4 prevents dependent claims such as these from being separately restricted, and moreover, all of these claims share unity of invention. Clarification of Office policy regarding restriction of antibody claims is sought before Applicant petitions from the instant restriction.
2. Applicant's assertion that antibodies to the protein of the invention are useful in the diagnosis & treatment of cancers such as leukemia is specific, substantial, and credible, especially in light of the post-filing date evidence presented confirming that the protein of the invention is involved in the inhibition of angiogenesis associated with tumor formation.
3. Since the "variant" and "comprising" language objected to by the Examiner was previously cancelled, the Examiner is rejecting the claims based on limitations that are no longer present. The Examiner has not identified any specific deficiencies in the language of the pending claims.

An interview was conducted on the above-identified application on _____.

NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP §713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this

(Applicant/Applicant's Representative Signature)

(Examiner/SPE Signature)